

**Remarks/Arguments:**

Claims 1-36 and 38-41 are pending. Claims 1-35 and 38-41 are allowed.

Claim 36 stands rejected.

**Interview Summary**

An interview was conducted between Examiner Hung H. Lam, Supervisory Examiner Lin Ye and Applicant's Representative Eric Berkowitz on July 31, 2008. In the Examiner Interview, Applicant's Representative discussed claim 36 with regard to the rejection under 35 U.S.C. §112, second paragraph and the prior art rejection over Kubo. Applicant's Representative discussed amending claim 36 from "turned off [on]" to "--powered off [on]--". The Examiners agreed that such an amendment would overcome the rejection over Kubo, but stated that a further search would be required. The Examiners are thanked for their efforts.

**Rejection of Claim 36 under 35 U.S.C. §112, second paragraph**

In the Office Action, at item 5, claim 36 is rejected 35 U.S.C. §112, second paragraph as being indefinite.

Reconsideration is respectfully requested.

Claim 36 has been amended to overcome this rejection. More particularly, claim 36 recites;

...  
first capturing a scene by the first image module while the second image module is powered off; ...

powering on the second image module after the capturing of the scene by the first image module; and

second capturing, immediately after the powering on of the second image module ... such that fixed pattern noise in the second capturing of the scene is reduced when the second image module has been powered off during the first capturing of the scene relative to if the second image module had been powered on during the first capturing of the scene.

That is, by having the second image module powered off during the first capturing of the scene, fixed pattern noise is reduced in the second capturing of the scene compared to if the second image module would have been powered on during the first capturing of the scene.

Applicant have amended claim 36 to clarify that the reduction in fixed pattern noise is relative to a condition (i.e., if the second image module had been powered on during the first capturing of the scene.) Basis for the amendment to claim 36 may be found in the specification at paragraph [0035] and [0036].

Applicant submits that the rejection of claim 36 under 35 U.S.C. §112, second paragraph is overcome.

**Rejection of Claim 36 under 35 U.S.C §102(e)**

In the Office Action, at item 7, claim 36 is 35 U.S.C §102(e) as anticipated by Kubo (U.S. Patent No. 6,639,726).

Reconsideration is respectfully requested.

**Claim 36**

Claim 36 is directed to a method of operating an electronic apparatus having first and second image modules, and recites;

first capturing a scene by the first image module while the second image module is powered off...

powering on the second image module after the capturing of the scene by the first image module; and

second capturing, immediately after the powering on of the second image module ... such that fixed pattern noise in the second capturing of the scene is reduced when the second image module has been powered off during the first capturing of the scene relative to if the second image module had been powered on during the first capturing of the scene.

That is, for example, fixed pattern noise is reduced by powering off the second image module during the first capturing of the scene.

### **Kubo Reference**

Kubo discloses a digital camera 51 that includes first and second image sensors 58 and 63. A quick return mirror M5 is also provided in the digital camera 51. In Kubo, if the shutter release button is half-depressed, a portion of light, which is reflected by the quick return mirror M5, is focused on the second image sensor 63 (and corresponds to the preview image). (See Kubo at column 14, lines 24-56.) Further, if the shutter release button of Kubo is further depressed, the diaphragm 55 and preview image are held, and simultaneously, the quick return mirror M5 rotates upward about the pivot access 56. At this time, the switch 90 is changed over to the first image sensor 58. The light which is passed through the photographing lens 54 and the diaphragm 55 is focused on the first image sensor 58. Thus, Kubo teaches the use of a pivoting quick return mirror M5 to cause incident light to be focused on either the first image sensor 58 or the second image sensor 63. Further, Fig. 10 of Kubo shows the output of image sensors 58 and 63 being alternatively connected to image processor 80 via switch 90. Kubo, however, is silent regarding the powering off of the first image sensor 58 while capturing the preview on the second image sensor 63. This is because, Kubo does not contemplate powering on/off the first or second image sensors 58 or 63. Instead, Kubo is concerned with changes to the light path so light is incident on the second image sensor 63 during image previewing and incident on first image sensor 58 at other times.

Accordingly, it is submitted that claim 36 patentably distinguishes over Kubo for at least the above-mentioned reasons.

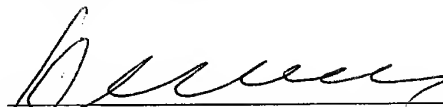
Appln. No.: 10/651,599  
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MICR-155US

## Conclusion

In view of the claim amendment and remarks, Applicants submits the application is in condition for allowance, which action is respectively requested.

Respectfully submitted,



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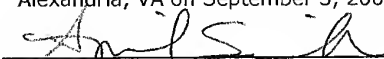
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Dated: September 3, 2008

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I hereby certify that this correspondence is being electronically transmitted to: Commissioner for Patents, Alexandria, VA on September 3, 2008:

  
April Smith

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